

REMARKS

Claims 1-8 and 16-23 have been examined in the application, with claims 9-15 and 24-29 having been removed from further consideration.

In reply to the Response filed July 23, 2003, the Examiner removed the rejection under 35 U.S.C. § 112, first paragraph, of claims 2-4 and 17-19, but maintained the prior art rejections of claims 1-3, 5-8, 16-18, and 20-23.

Thus, claims 1-3, 5-8, 16-18, and 20-23 are rejected under 35 U.S.C. § 102(e) as being anticipated by previously-cited Isomursu et al. (US 6,400,958, hereafter "Isomursu"). Claims 8 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Isomursu in view of previously-cited Ayabe et al. (US 6,141,550, hereafter "Ayabe"). Applicant respectfully traverses the claim rejections with the following comments.

Applicant submits that Isomursu fails to teach or suggest the feature of claims 1 and 16 of inserting a segmented message data field, a field indicating the number of segmented short messages and a field indicating a current short message number into the user data field. The Examiner cites col. 6, lines 1-28, as allegedly disclosing this feature of the claims. In the Response to Arguments, the Examiner asserts that this portion of the reference "includes the data that is a segmented message and the sending and receiving frame numbers indicate the number current number and the total number of message frames." However, the cited excerpt does not disclose inserting a field indicating the number of segmented short messages into the user data field. The reference indicates that in an LAPDm frame there is a control field CNTL, which contains a sending frame N(S) and a receiving frame N(F), but there is no disclosure of either of these frames corresponding to a field indicating the number of segmented short messages.

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Furthermore, the sending frame N(S) and the receiving frame N(F) are contained in a control field CNTL, rather than a user data field. The Examiner asserts that the application identifier of Isomursu corresponds to the claimed data connection service identifier inserted into a user data field, as recited in claims 1 and 16. As disclosed in col. 6, lines 29-60, of the reference, the application identifier is placed in the data field INFO. Thus, it is the Examiner's interpretation that the data field INFO corresponds to the user data field. Despite this interpretation, the Examiner asserts that the sending frame N(S) and the receiving frame N(F), which are contained in a control field CNTL, are inserted into a user data field. Thus, the Examiner is basing the rejection on conflicting interpretations of the reference, at least one of which must be incorrect.

Therefore, independent claims 1 and 16 are not anticipated by Isomursu for at least the foregoing reasons.

Also, claims 2, 3, and 5-8 and 17, 18, and 20-23, are not anticipated by Isomursu, at least because of their dependence from claims 1 and 16 respectively.

With regard to claims 5 and 20, the Examiner did not respond to the arguments in the September 30 Response. Thus, Applicant submits that claims 5 and 20 are allowable over the prior art for the reasons described therein.

Based on Applicant's review of Isomursu, the cited portion of the reference does not disclose the claimed features of claims 5 and 20. Hence, Applicant requests that the Examiner explicitly state what in col. 22, lines 24-55, of Isomursu allegedly corresponds to the claimed reference number field, which indicates a number for referring to a type of data connection service employed. The cited excerpt of the reference does not refer to a plurality of types of data

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connection service. Instead, the excerpt indicates that when the data processing unit (DU) controller 8 notices that the radio unit (RU) is ready to send a message, the message is transferred to a message transfer running circuit 12, which adds to the message information relating to the mobile communications system in question, such as validity information (which indicates to which direction the message is going, i.e., from a mobile station to a message service center or vice versa). This disclosure does not correspond to the above-identified feature of claims 5 and 20.

Also, Applicant requests that the Examiner indicate the exact portion of the cited excerpt which allegedly discloses inserting the reference number field into a position next to the data connection service identifier in the user data field. The excerpt discloses nothing about a inserting a reference number field, or any field, into a position next to the data connection service identifier in the user data field.

Therefore, claims 5 and 20 are allowable over the prior art for these additional reasons.

Since claims 4 and 19 are not rejected on any basis, Applicant submits that these claims are allowable.

For the rejection of claims 8 and 23, Applicant submits that Ayabe fails to make up for the above-identified deficiencies of Isomursu. Hence, claims 8 and 23 are allowable over the prior art due to their dependence from claims 1 and 16, respectively.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: January 9, 2004